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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 REUBEN WATKINS,

10 Plaintiff,

11 v.

12 C.O. DOAN, *et al.*,

13 Defendants.
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Case No. C16-363-JLR-JPD

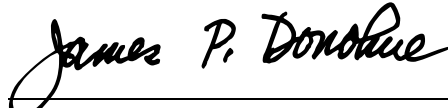
REPORT AND RECOMMENDATION

15 Plaintiff is proceeding *pro se* and *in forma pauperis* in this 42 U.S.C. § 1983 civil rights
16 action. By Order dated April 4, 2016, the Court declined to serve plaintiff's complaint and
17 granted leave to amend within thirty (30) days. Dkt. 28. On April 25, 2016, plaintiff's mail
18 was returned as undeliverable with the words "Released 4-3-16" marked on the envelope. Dkt.
19 33. On May 18, 2016, the Court issued an Order to Show Cause advising plaintiff that LCR
20 41(b)(2) provides that "if mail directed to a *pro se* plaintiff by the clerk is returned by the post
21 office, and if such plaintiff fails to notify the court and opposing parties within sixty days
22 thereafter of his current address, the court may dismiss the action without prejudice for failure
23 to prosecute." Dkt. 34 at 1. The Court directed plaintiff to advise the Court of his current
24 address by no later than June 14, 2016, or his case will be dismissed. *Id.* at 2. The Court's
25 Order to Show Cause was also returned by the U.S. Postal Service on May 25, 2016. Dkt. 35.
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1 Because over sixty days have elapsed since mail directed to plaintiff at his address of
2 record was returned to the court by the Post Office as undeliverable, and plaintiff has not yet
3 notified the Court of his current address, this action is DISMISSED without prejudice for
4 failure to prosecute pursuant to LCR 41(b)(2). The Clerk of the Court is therefore directed to
5 STRIKE the miscellaneous pending motions, Dkts. 25, 30, 31, and 32, as MOOT. A proposed
6 order accompanies this Report and Recommendation.

7 Objections to this Report and Recommendation, if any, should be filed with the Clerk
8 and served upon all parties to this suit by no later than **August 1, 2016**. Failure to file
9 objections within the specified time may affect your right to appeal. Objections should be
10 noted for consideration on the District Judge's motion calendar for the third Friday after they
11 are filed. Responses to objections may be filed within **fourteen (14)** days after service of
12 objections. If no timely objections are filed, the matter will be ready for consideration by the
13 District Judge on **August 5, 2016**.

14 DATED this 11th day of July, 2016.

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17 JAMES P. DONOHUE
18 Chief United States Magistrate Judge
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